

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Attorney Docket No. 2003\_1372A  
Yuichi FUTA et al. : **Confirmation No. 4351**  
Serial No. 10/669,656 : Group Art Unit 2457  
Filed September 25, 2003 : Examiner Barbara Burgess  
GROUP JUDGMENT DEVICE : **Mail Stop: AMENDMENT**

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**INTERVIEW SUMMARY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR 1.133(b), the Applicants make of record the telephone interview (hereafter “interview”) conducted in connection with the above-identified application. An interview was conducted between Examiner Burgess and the Applicants’ representative on April 15, 2010.

During the interview, the distinguishable features between the present invention (as recited in independent claim 22) and the cited prior art were discussed in detail.

It was noted that the present invention (as recited in independent claim 22) aims to, when a digital work is supposed to be used only within a limited area (hereinafter, “a predetermined group”) such as a home or an office, allow only devices that belong to the predetermined group to access the digital work. In particular, the present invention provides a group judgment device that judges whether a device that has made an access request belongs to the predetermined group.

The group judgment device measures, as a target time, a time required between (i) transmission of first data to a target device and (ii) reception of second data that is transmitted in response to the first data; and judges whether the target device belongs to a predetermined device by using the length of the target time measured.

Additionally, the group judgment device judges that the target device belongs to the predetermined group when a difference between the target time measured and a reference time is within a predetermined range. More specifically, the length of the time required between (i)

transmission of the first data to the target device and (ii) reception of the second data that is transmitted in response to the first data is considered to have a correlation to a distance between the group judgment device and the target device in the network.

To the contrary, it was noted that according to Mathis, the remote monitor unit judges whether it should immediately relay the access request to the program memory, or whether it should wait and relay the access request at a later time. However, the remote monitor unit does not judge whether or not the RAD belongs to a predetermined group. Therefore, in a case where the predetermined group is defined as consisting of devices located in an area that is away from the remote monitor unit by a predetermined distance in the network (e.g., a home and an office), the remote monitor unit approves the access request to access the program memory regardless of whether the distance between the RAD and the remote monitor unit in the network falls within the predetermined distance or not. Thus, the remote monitor unit in Mathis cannot limit access to the program memory to the devices that only belong to the predetermined group.

On the other hand, the group judgment device of the present invention (as recited in independent claim 22) judges whether the target device belongs to the predetermined group by using the length of the target time, which is a time required between (i) transmission of the first data and (ii) reception of the second data. The group judgment device judges that the target device belongs to the predetermined group when the distance between the group judgment device and the target device in the network falls within a predetermined range.

When the above judgment device of the present invention (as recited in independent claim 22) is used, it is possible to determine whether an access request should be approved based on a result of judging whether the device that has made the access request belongs to the predetermined group. Therefore, the above judgment device can limit access to the digital work only to the devices that belong to the predetermined group.

Furthermore, when a device that is normally used within the predetermined group has been moved and to access the digital work from outside the predetermined group, the group judgment device of the present invention (as recited in independent claim 22) judges that the device does not belong to the predetermined group, because the distance between this device (which is now outside the predetermined group) and the group judgment device in the network no longer falls within the predetermined range.

In this manner, the group judgment device can judge whether the target device belongs to

the predetermined group when the target device makes the access request. Therefore, in the case of an office, when a personal computer that is allowed to access specific data only from inside the office attempts to access the specific data from outside the office, the access is denied. Thus, even if the personal computer is stolen from the office, the above structure can prevent unauthorized access to the specific data from outside the office (i.e., via the stolen personal computer).

On the other hand, according to Mathis, the distance between the remote monitor unit and the RAD in the network bears no relationship with approval of access to the program memory. Therefore, the RAD, which is allowed to access the program memory, can access the program memory even from outside the predetermined group to which the RAD belongs. In other words, the remote monitor unit cannot deny the RAD's access to the program memory even when the RAD is outside the predetermined group.

At the conclusion of the interview, the Examiner indicated that further consideration would be given to the arguments presented during the interview as well as the arguments presented in the response filed on March 18, 2010.

Based on the interview, the Applicants respectfully request favorable reconsideration. If the Examiner feels there are any issues remaining which can be resolved before the application can be passed to issue, the Examiner is respectfully requested to contact the undersigned attorney by telephone in order to resolve such issues.

Respectfully submitted,

Yuichi FUTA et al.

/Mark D. Pratt/

By 2010.04.20 11:25:19 -04'00'

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